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I	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
	10/657,392	09/08/2003	Garret J. Buban	13768.783.78	9365	
		7590 12/18/200 VYDEGGER/MICROS		EXAM	IINER	
	1000 EAGLE O	GATE TOWER		INGBERG, TODD D ART UNIT PAPER NUMBER	, TODD D	
	60 EAST SOU' SALT LAKE C	TH TEMPLE CITY, UT 84111			PAPER NUMBER	
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l	SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	DELIVERY MODE	
	31 D	PAYS	12/18/2006	PAI	PER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

·	Application No.	Applicant(s)			
	10/657,392	BUBAN ET AL.			
Office Action Summary	Examiner	Art Unit			
	Todd Ingberg	2193			
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet with	the correspondence address			
A SHORTENED STATUTORY PERIOD FOR REI WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory peri - Failure to reply within the set or extended period for reply will, by sta Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICA 1.136(a). In no event, however, may a replication will apply and will expire SIX (6) MONTH atute, cause the application to become ABAN	TION. be timely filed from the mailing date of this communication DONED (35 U.S.C. § 133).			
Status					
 Responsive to communication(s) filed on <u>9/8/2003</u>. This action is FINAL. 2b) This action is non-final. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213. 					
Disposition of Claims					
4) Claim(s) 1-56 is/are pending in the applicating 4a) Of the above claim(s) is/are without 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-56 are subject to restriction and/or	Irawn from consideration.				
Application Papers		•			
9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on <u>08 September 2003</u> is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/N	nmary (PTO-413) Mail Date rmal Patent Application			

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Election/Restriction

1. Restriction to one of the following inventions is required under 35 USC §121

The inventions are distinct, each from the other because of the following reasons:

Invention I -Claims 1 - 17, 39 - 43 and 46 - 56, drawn to Automatic reinstallation of fix(es)

after a version update, classified in class 717, subclass 177.

Invention II - Claims 18-34 and 44, drawn to software migration, classified in class 717,

subclass 171.

Invention III - Claims 35 – 38 and 45, drawn to configuration management, classified in

class 717, subclass 121.

2. The inventions are distinct, each from the other because:

Inventions I - III are related as subcombinations disclosed as usable together in a single

combination. The subcombinations are distinct from each other if they are shown to be

separately usable. Each respective invention has utility as in a system not having the other. See

MPEP § 806.05(d).

Telephone Restriction Practice

3. Section 812.01 of the Manual of Patent Examining Procedure (MPEP) states the

Examiner does not have to telephone the attorney or agent in cases where the Restriction is

deemed complex. The Restriction/ Election is deemed complex by the Examiner and the

attorney/ agent should be afforded the benefit of receiving the action for careful review and time

to formulate a response.

Correspondence Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Todd Ingberg/ Primary Examiner

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